

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Sep 09, 2016

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

WENDY FLEMMING, on behalf of  
herself and all others similarly  
situated,

Plaintiff,

v.

GREYSTAR MANAGEMENT  
SERVICES, L.P., a Delaware  
corporation, WILLIAM SIMMONS,  
and EMMETT HIGGINS,

Defendants.

No. 2:15-CV-00174-SMJ

**ORDER DENYING  
DEFENDANTS' MOTION TO  
RECONSIDER**

Before the Court, without oral argument, is Defendants' Motion to Reconsider, ECF No. 57. Defendants ask the Court to reconsider its decision denying Defendants' Motion for Summary Judgment and granting in-part Plaintiff's Motion for Summary Judgment, ECF No. 55. Defendants argue that Greystar is excluded from the Fair Debt Collection Practices Act's (FDCPA) definition of a debt collector under 15 U.S.C. § 1692a(6)(F). ECF No. 57. As the Court explained in its summary judgment order, the Section 1692a(6)(F) exclusions are inapplicable and Greystar is subject to the FDCPA as a debt collector because, in the process of collecting its own debts, Greystar used a name other than its own


1 in a manner that could indicate to a consumer that a third party was attempting to  
2 collect the debt.

3 Accordingly, **IT IS HEREBY ORDERED:**

4 **1.** Defendant's Motion to Reconsider, **ECF No. 57**, is **DENIED**.

5 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and  
6 provide copies to all counsel.

7 **DATED** this 9th day of September 2016.

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9 SALVADOR MENDOZA, JR.  
10 United States District Judge  
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